

IV. Remarks

A. Amendments to the Specification

The paragraph beginning at the top of Page 6 was amended to correct spelling and other errors. In addition, the last paragraph beginning on page 10 was amended for the same reasons.

B. Amendments to Claims

1. Claim Objections

Various amendments to Claims 25-29 and 31 have been made, such as correction of typographical errors, modifications to make claim terms consistent and correction of dependency, which the Applicant submits address any claim objections made by the Examiner in the Action. Reconsideration and withdrawal of these claim objections are respectfully requested.

2. Rejection under 35 USC § 112

Claim 19 has been amended to recite “third semiconductor layer” rather than “third conductivity layer”. It is submitted that the third semiconductor layer is introduced in Claim 25 and clearly positions the location of the base elements. Claim 19 has also been amended to recite “base elements” rather than “bases” consistent with the rest of the claims.

C. Claim Rejection under 35 USC § 102(b)

The Action rejects Claims 25-29 and 31 as being anticipated by U.S. Patent No. 5,850,095 to Chen et al. The Applicant is grateful to the Examiner for recognizing the allowable subject matter claimed in objected Claim 30. Claim 30 has been rewritten in independent form via the amendments to Claim 25. Applicant submits that Claim 25 is allowable as suggested by

the Examiner, along with Claims 26-29 and 31, which depend from Claim 25. Reconsideration and withdrawal of this rejection are respectfully requested.

The Applicant would like to note, however, that Claim 25 is believe allowable over Chen without the amendments, as argued, for example, in the parent application that issued as U.S. Patent Nos. 6,472,286 and 6,720,625 and as argued in pending sibling application 10/790,925. The subject matter of original Claim 30 is pursued herein solely because of the scope of the claims granted in the aforementioned patents and pursued in the pending sibling application, not because of any concession as to the patentability of original Claim 25.

D. New Claims

New Claims 47-53 have been added. Examination and allowance of these claims are respectfully requested.

V. Conclusion

In view of the foregoing remarks and amendments, the Applicant submits that this application is in condition for allowance at an early date, which action is earnestly solicited.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

Dated: October 21, 2004



Joseph A. Powers, Reg. No.: 47,006
Attorney For Applicant

DUANE MORRIS LLP
One Liberty Place
Philadelphia, Pennsylvania 19103-7396
(215) 979-1842 (Telephone)
(215) 979-1020 (Fax)